

## **Reissuance of the General VPDES Permit for Discharges from Petroleum Contaminated Sites, Ground Water Remediation, and Hydrostatic Tests (VAG83) - Substantive Changes Proposed**

The General VPDES Permit for Discharges from Petroleum Contaminated Sites, Ground Water Remediation, and Hydrostatic Tests (VAG83) will expire on February 25, 2013. The associated regulation (9VAC25-120) is being amended to allow for the reissuance of the general permit. The proposed changes to the regulation were made to make this general permit similar to other general permits recently reissued, in response to Technical Advisory Committee suggestions, and in response staff requests to clarify and update permit limits and conditions.

The substantive changes proposed to the existing regulation are:

- (1) Added coverage under the permit for hydrostatic tests of water storage tanks and pipelines. These tests are similar in discharge characteristics to the permit's existing hydrostatic tests, and we had a request to add these to the permit coverage;
- (2) Added two reasons why a facility's discharge would not be eligible for coverage under the permit: (a) the discharge would violate the antidegradation policy in the Water Quality Standards at 9VAC25-260-30; and (b) the discharge is not consistent with the assumptions and requirements of an approved TMDL;
- (3) Added language to allow for 'administrative continuation' of permit coverage for existing permitted facilities that file complete registration statements prior to the existing permit's expiration, and that are in compliance with the existing permit;
- (4) Added a provision that allows specified short term projects (14 days or less in duration) and hydrostatic test discharges to be automatically covered under the permit without the requirement to submit a registration statement. Short term projects include emergency repairs; dewatering projects; utility work and repairs in areas of known contamination; tank placement or removal in areas of known contamination; pilot studies or pilot tests, including aquifer tests; and new well construction discharges of groundwater. Also added a requirement that the owner notify the department within 14 days of the discharge's completion. These discharges are subject to the same effluent limitations in the permit as other similar discharges. The minimal paperwork involved would allow these projects to proceed quickly, and would free up both owner and DEQ staff resources;
- (5) Consolidated the permit Part I A Effluent Limitations and Monitoring Requirements for "Gasoline Contaminated Discharges" into one limits table for all receiving waters, and discharges "Contaminated by Petroleum Products Other Than Gasoline" into one limits table for all receiving waters. Recalculated the effluent limits in the combined tables to be at the most protective levels for the discharge type and to protect all receiving waters based on an analysis of water quality criteria, toxicity data and best professional judgment; and
- (6) Added permit special conditions for:
  - the required number of significant digits for reporting monitoring results;
  - a requirement to control discharges as necessary to meet water quality standards;
  - the permittee's responsibility to comply with any other federal, state or local statute, ordinance or regulation;
  - a requirement to submit discharge monitoring reports to the owner of the municipal storm sewer system (MS4) if they discharge to the MS4; and
  - a requirement to implement measures and controls consistent with a TMDL requirement when the facility is subject to an approved TMDL.